

SECTION J – LIST OF DOCUMENTS, EXHIBITS AND OTHER ATTACHMENTS
ATTACHMENT J-3 – WAGE DETERMINATIONS – SERVICE CONTRACT ACT (SCA)

***** THIS WAGE DETERMINATION WAS REPLACED 10/13/2009 *****
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REGISTER OF WAGE DETERMINATIONS UNDER		U.S. DEPARTMENT OF LABOR
THE SERVICE CONTRACT ACT		EMPLOYMENT STANDARDS ADMINISTRATION
By direction of the Secretary of Labor		WAGE AND HOUR DIVISION
		WASHINGTON D.C. 20210
		Wage Determination No.: 2005-2371
Shirley F. Ebbesen		Revision No.: 9
Director		Date Of Revision: 05/26/2009
Division of		
Wage Determinations		

State: New York

Area: New York Counties of Allegany, Cattaraugus, Chautauqua, Erie, Niagara,
Wyoming

Fringe Benefits Required Follow the Occupational Listing

OCCUPATION CODE - TITLE	FOOTNOTE	RATE
01000 - Administrative Support And Clerical Occupations		
01011 - Accounting Clerk I		13.31
01012 - Accounting Clerk II		14.95
01013 - Accounting Clerk III		16.71
01020 - Administrative Assistant		23.11
01040 - Court Reporter		17.23
01051 - Data Entry Operator I		12.95
01052 - Data Entry Operator II		14.13
01060 - Dispatcher, Motor Vehicle		15.84
01070 - Document Preparation Clerk		12.75
01090 - Duplicating Machine Operator		12.75
01111 - General Clerk I		12.16
01112 - General Clerk II		13.19
01113 - General Clerk III		15.23
01120 - Housing Referral Assistant		19.85
01141 - Messenger Courier		10.06
01191 - Order Clerk I		13.14
01192 - Order Clerk II		14.35
01261 - Personnel Assistant (Employment) I		15.23
01262 - Personnel Assistant (Employment) II		15.84
01263 - Personnel Assistant (Employment) III		19.00
01270 - Production Control Clerk		19.28
01280 - Receptionist		12.75
01290 - Rental Clerk		15.23
01300 - Scheduler, Maintenance		15.92
01311 - Secretary I		15.92
01312 - Secretary II		17.95
01313 - Secretary III		19.85
01320 - Service Order Dispatcher		14.57

01410 - Supply Technician	23.11
01420 - Survey Worker	15.84
01531 - Travel Clerk I	11.11
01532 - Travel Clerk II	11.73
01533 - Travel Clerk III	12.38
01611 - Word Processor I	13.49
01612 - Word Processor II	15.16
01613 - Word Processor III	16.95
05000 - Automotive Service Occupations	
05005 - Automobile Body Repairer, Fiberglass	21.28
05010 - Automotive Electrician	20.64
05040 - Automotive Glass Installer	19.86
05070 - Automotive Worker	19.86
05110 - Mobile Equipment Servicer	18.52
05130 - Motor Equipment Metal Mechanic	21.28
05160 - Motor Equipment Metal Worker	19.86
05190 - Motor Vehicle Mechanic	21.28
05220 - Motor Vehicle Mechanic Helper	17.17
05250 - Motor Vehicle Upholstery Worker	19.15
05280 - Motor Vehicle Wrecker	19.86
05310 - Painter, Automotive	20.64
05340 - Radiator Repair Specialist	19.86
05370 - Tire Repairer	17.89
05400 - Transmission Repair Specialist	21.28
07000 - Food Preparation And Service Occupations	
07010 - Baker	11.15
07041 - Cook I	10.58
07042 - Cook II	11.38
07070 - Dishwasher	8.75
07130 - Food Service Worker	8.61
07210 - Meat Cutter	15.63
07260 - Waiter/Waitress	8.38
09000 - Furniture Maintenance And Repair Occupations	
09010 - Electrostatic Spray Painter	20.64
09040 - Furniture Handler	16.18
09080 - Furniture Refinisher	20.64
09090 - Furniture Refinisher Helper	17.77
09110 - Furniture Repairer, Minor	19.15
09130 - Upholsterer	20.64
11000 - General Services And Support Occupations	
11030 - Cleaner, Vehicles	9.76
11060 - Elevator Operator	9.76
11090 - Gardener	14.36
11122 - Housekeeping Aide	10.01
11150 - Janitor	12.70
11210 - Laborer, Grounds Maintenance	13.02
11240 - Maid or Houseman	9.13
11260 - Pruner	11.10
11270 - Tractor Operator	13.80
11330 - Trail Maintenance Worker	13.02
11360 - Window Cleaner	13.24
12000 - Health Occupations	
12010 - Ambulance Driver	14.91
12011 - Breath Alcohol Technician	14.91

12012 - Certified Occupational Therapist Assistant	20.38
12015 - Certified Physical Therapist Assistant	20.38
12020 - Dental Assistant	13.82
12025 - Dental Hygienist	29.85
12030 - EKG Technician	20.88
12035 - Electroneurodiagnostic Technologist	20.88
12040 - Emergency Medical Technician	14.91
12071 - Licensed Practical Nurse I	13.33
12072 - Licensed Practical Nurse II	14.91
12073 - Licensed Practical Nurse III	16.63
12100 - Medical Assistant	13.00
12130 - Medical Laboratory Technician	17.15
12160 - Medical Record Clerk	13.52
12190 - Medical Record Technician	15.35
12195 - Medical Transcriptionist	14.23
12210 - Nuclear Medicine Technologist	29.17
12221 - Nursing Assistant I	9.91
12222 - Nursing Assistant II	11.37
12223 - Nursing Assistant III	12.17
12224 - Nursing Assistant IV	13.65
12235 - Optical Dispenser	17.70
12236 - Optical Technician	13.50
12250 - Pharmacy Technician	13.41
12280 - Phlebotomist	13.65
12305 - Radiologic Technologist	21.91
12311 - Registered Nurse I	21.31
12312 - Registered Nurse II	25.77
12313 - Registered Nurse II, Specialist	25.77
12314 - Registered Nurse III	31.16
12315 - Registered Nurse III, Anesthetist	31.16
12316 - Registered Nurse IV	37.37
12317 - Scheduler (Drug and Alcohol Testing)	18.47
13000 - Information And Arts Occupations	
13011 - Exhibits Specialist I	18.91
13012 - Exhibits Specialist II	23.40
13013 - Exhibits Specialist III	28.53
13041 - Illustrator I	19.84
13042 - Illustrator II	24.54
13043 - Illustrator III	29.93
13047 - Librarian	25.51
13050 - Library Aide/Clerk	13.31
13054 - Library Information Technology Systems Administrator	22.78
13058 - Library Technician	15.75
13061 - Media Specialist I	16.62
13062 - Media Specialist II	18.60
13063 - Media Specialist III	20.73
13071 - Photographer I	13.54
13072 - Photographer II	17.34
13073 - Photographer III	21.45
13074 - Photographer IV	26.17
13075 - Photographer V	31.74
13110 - Video Teleconference Technician	16.05
14000 - Information Technology Occupations	

14041 - Computer Operator I	15.33
14042 - Computer Operator II	17.14
14043 - Computer Operator III	20.20
14044 - Computer Operator IV	23.94
14045 - Computer Operator V	26.51
14071 - Computer Programmer I	18.39
14072 - Computer Programmer II	22.78
14073 - Computer Programmer III	(see 1)
14074 - Computer Programmer IV	(see 1)
14101 - Computer Systems Analyst I	(see 1)
14102 - Computer Systems Analyst II	(see 1)
14103 - Computer Systems Analyst III	(see 1)
14150 - Peripheral Equipment Operator	15.33
14160 - Personal Computer Support Technician	23.94
15000 - Instructional Occupations	
15010 - Aircrew Training Devices Instructor (Non-Rated)	27.61
15020 - Aircrew Training Devices Instructor (Rated)	33.41
15030 - Air Crew Training Devices Instructor (Pilot)	37.76
15050 - Computer Based Training Specialist / Instructor	26.40
15060 - Educational Technologist	22.59
15070 - Flight Instructor (Pilot)	37.76
15080 - Graphic Artist	18.52
15090 - Technical Instructor	18.68
15095 - Technical Instructor/Course Developer	22.87
15110 - Test Proctor	17.23
15120 - Tutor	17.23
16000 - Laundry, Dry-Cleaning, Pressing And Related Occupations	
16010 - Assembler	8.30
16030 - Counter Attendant	8.30
16040 - Dry Cleaner	9.94
16070 - Finisher, Flatwork, Machine	8.30
16090 - Presser, Hand	8.30
16110 - Presser, Machine, Drycleaning	8.30
16130 - Presser, Machine, Shirts	8.30
16160 - Presser, Machine, Wearing Apparel, Laundry	8.30
16190 - Sewing Machine Operator	10.50
16220 - Tailor	11.05
16250 - Washer, Machine	8.86
19000 - Machine Tool Operation And Repair Occupations	
19010 - Machine-Tool Operator (Tool Room)	23.73
19040 - Tool And Die Maker	26.90
21000 - Materials Handling And Packing Occupations	
21020 - Forklift Operator	18.06
21030 - Material Coordinator	19.82
21040 - Material Expediter	19.82
21050 - Material Handling Laborer	17.74
21071 - Order Filler	13.81
21080 - Production Line Worker (Food Processing)	18.06
21110 - Shipping Packer	14.98
21130 - Shipping/Receiving Clerk	12.66
21140 - Store Worker I	14.94
21150 - Stock Clerk	18.79
21210 - Tools And Parts Attendant	18.06
21410 - Warehouse Specialist	18.06

23000 - Mechanics And Maintenance And Repair Occupations	
23010 - Aerospace Structural Welder	23.57
23021 - Aircraft Mechanic I	22.77
23022 - Aircraft Mechanic II	23.57
23023 - Aircraft Mechanic III	24.25
23040 - Aircraft Mechanic Helper	18.85
23050 - Aircraft, Painter	22.06
23060 - Aircraft Servicer	20.55
23080 - Aircraft Worker	21.30
23110 - Appliance Mechanic	20.64
23120 - Bicycle Repairer	18.98
23125 - Cable Splicer	28.97
23130 - Carpenter, Maintenance	20.64
23140 - Carpet Layer	20.45
23160 - Electrician, Maintenance	25.51
23181 - Electronics Technician Maintenance I	21.56
23182 - Electronics Technician Maintenance II	22.40
23183 - Electronics Technician Maintenance III	23.10
23260 - Fabric Worker	20.15
23290 - Fire Alarm System Mechanic	22.21
23310 - Fire Extinguisher Repairer	19.27
23311 - Fuel Distribution System Mechanic	27.65
23312 - Fuel Distribution System Operator	22.98
23370 - General Maintenance Worker	20.01
23380 - Ground Support Equipment Mechanic	22.77
23381 - Ground Support Equipment Servicer	20.55
23382 - Ground Support Equipment Worker	21.30
23391 - Gunsmith I	19.27
23392 - Gunsmith II	20.88
23393 - Gunsmith III	22.32
23410 - Heating, Ventilation And Air-Conditioning Mechanic	21.28
23411 - Heating, Ventilation And Air Contditioning Mechanic (Research Facility)	23.06
23430 - Heavy Equipment Mechanic	21.88
23440 - Heavy Equipment Operator	23.70
23460 - Instrument Mechanic	22.32
23465 - Laboratory/Shelter Mechanic	21.62
23470 - Laborer	13.61
23510 - Locksmith	20.64
23530 - Machinery Maintenance Mechanic	24.19
23550 - Machinist, Maintenance	21.28
23580 - Maintenance Trades Helper	17.77
23591 - Metrology Technician I	22.32
23592 - Metrology Technician II	23.16
23593 - Metrology Technician III	23.77
23640 - Millwright	30.90
23710 - Office Appliance Repairer	20.64
23760 - Painter, Maintenance	20.74
23790 - Pipefitter, Maintenance	25.74
23810 - Plumber, Maintenance	24.26
23820 - Pneudraulic Systems Mechanic	22.32
23850 - Rigger	22.32
23870 - Scale Mechanic	20.88

23890 - Sheet-Metal Worker, Maintenance	23.40
23910 - Small Engine Mechanic	19.86
23931 - Telecommunications Mechanic I	23.12
23932 - Telecommunications Mechanic II	23.86
23950 - Telephone Lineman	24.31
23960 - Welder, Combination, Maintenance	21.28
23965 - Well Driller	24.60
23970 - Woodcraft Worker	22.32
23980 - Woodworker	18.52
24000 - Personal Needs Occupations	
24570 - Child Care Attendant	10.03
24580 - Child Care Center Clerk	12.55
24610 - Chore Aide	9.10
24620 - Family Readiness And Support Services Coordinator	11.97
24630 - Homemaker	14.23
25000 - Plant And System Operations Occupations	
25010 - Boiler Tender	21.28
25040 - Sewage Plant Operator	21.19
25070 - Stationary Engineer	21.28
25190 - Ventilation Equipment Tender	18.29
25210 - Water Treatment Plant Operator	21.19
27000 - Protective Service Occupations	
27004 - Alarm Monitor	18.07
27007 - Baggage Inspector	9.55
27008 - Corrections Officer	23.55
27010 - Court Security Officer	22.97
27030 - Detection Dog Handler	15.49
27040 - Detention Officer	23.55
27070 - Firefighter	22.67
27101 - Guard I	9.55
27102 - Guard II	15.49
27131 - Police Officer I	25.59
27132 - Police Officer II	28.40
28000 - Recreation Occupations	
28041 - Carnival Equipment Operator	10.88
28042 - Carnival Equipment Repairer	11.32
28043 - Carnival Equipment Worker	9.47
28210 - Gate Attendant/Gate Tender	12.14
28310 - Lifeguard	10.82
28350 - Park Attendant (Aide)	14.24
28510 - Recreation Aide/Health Facility Attendant	9.91
28515 - Recreation Specialist	12.71
28630 - Sports Official	11.34
28690 - Swimming Pool Operator	15.97
29000 - Stevedoring/Longshoremen Occupational Services	
29010 - Blocker And Bracer	21.93
29020 - Hatch Tender	21.93
29030 - Line Handler	21.93
29041 - Stevedore I	19.92
29042 - Stevedore II	22.72
30000 - Technical Occupations	
30010 - Air Traffic Control Specialist, Center (HFO) (see 2)	33.96
30011 - Air Traffic Control Specialist, Station (HFO) (see 2)	23.42

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30012 - Air Traffic Control Specialist, Terminal (HFO) (see 2)	25.79
30021 - Archeological Technician I	18.40
30022 - Archeological Technician II	20.70
30023 - Archeological Technician III	25.54
30030 - Cartographic Technician	23.75
30040 - Civil Engineering Technician	25.55
30061 - Drafter/CAD Operator I	17.15
30062 - Drafter/CAD Operator II	20.65
30063 - Drafter/CAD Operator III	23.10
30064 - Drafter/CAD Operator IV	26.34
30081 - Engineering Technician I	16.28
30082 - Engineering Technician II	19.77
30083 - Engineering Technician III	22.10
30084 - Engineering Technician IV	27.38
30085 - Engineering Technician V	30.20
30086 - Engineering Technician VI	30.95
30090 - Environmental Technician	18.48
30210 - Laboratory Technician	19.34
30240 - Mathematical Technician	24.59
30361 - Paralegal/Legal Assistant I	16.01
30362 - Paralegal/Legal Assistant II	19.83
30363 - Paralegal/Legal Assistant III	24.25
30364 - Paralegal/Legal Assistant IV	29.34
30390 - Photo-Optics Technician	23.77
30461 - Technical Writer I	20.49
30462 - Technical Writer II	25.08
30463 - Technical Writer III	30.07
30491 - Unexploded Ordnance (UXO) Technician I	21.58
30492 - Unexploded Ordnance (UXO) Technician II	26.11
30493 - Unexploded Ordnance (UXO) Technician III	31.30
30494 - Unexploded (UXO) Safety Escort	21.58
30495 - Unexploded (UXO) Sweep Personnel	21.58
30620 - Weather Observer, Combined Upper Air Or (see 2)	22.54
Surface Programs	
30621 - Weather Observer, Senior (see 2)	23.77
31000 - Transportation/Mobile Equipment Operation Occupations	
31020 - Bus Aide	13.34
31030 - Bus Driver	16.73
31043 - Driver Courier	16.62
31260 - Parking and Lot Attendant	9.97
31290 - Shuttle Bus Driver	17.39
31310 - Taxi Driver	12.54
31361 - Truckdriver, Light	17.39
31362 - Truckdriver, Medium	20.24
31363 - Truckdriver, Heavy	22.34
31364 - Truckdriver, Tractor-Trailer	22.34
99000 - Miscellaneous Occupations	
99030 - Cashier	10.21
99050 - Desk Clerk	9.86
99095 - Embalmer	23.07
99251 - Laboratory Animal Caretaker I	9.71
99252 - Laboratory Animal Caretaker II	10.16
99310 - Mortician	25.38
99410 - Pest Controller	16.42

99510 - Photofinishing Worker	11.51
99710 - Recycling Laborer	16.12
99711 - Recycling Specialist	19.15
99730 - Refuse Collector	14.93
99810 - Sales Clerk	10.34
99820 - School Crossing Guard	9.76
99830 - Survey Party Chief	20.24
99831 - Surveying Aide	10.46
99832 - Surveying Technician	16.44
99840 - Vending Machine Attendant	12.60
99841 - Vending Machine Repairer	16.49
99842 - Vending Machine Repairer Helper	13.60

ALL OCCUPATIONS LISTED ABOVE RECEIVE THE FOLLOWING BENEFITS:

HEALTH & WELFARE: \$3.35 per hour or \$134.00 per week or \$580.66 per month

VACATION: 2 weeks paid vacation after 1 year of service with a contractor or successor; 3 weeks after 5 years, 4 weeks after 15 years, and 5 weeks after 25 years.

Length of service includes the whole span of continuous service with the present contractor or successor, wherever employed, and with the predecessor contractors in the performance of similar work at the same Federal facility. (Reg. 29 CFR 4.173)

HOLIDAYS: A minimum of eleven paid holidays per year: New Year's Day, Martin Luther King Jr's Birthday, Washington's Birthday, Good Friday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day, and Christmas Day. A contractor may substitute for any of the named holidays another day off with pay in accordance with a plan communicated to the employees involved.) (See 29 CFR 4.174)

THE OCCUPATIONS WHICH HAVE NUMBERED FOOTNOTES IN PARENTHESES RECEIVE THE FOLLOWING:

1) Under the SCA at section 8(b), this wage determination does not apply to any employee who individually qualifies as a bona fide executive, administrative, or professional employee as defined in 29 C.F.R. Part 541. Because most Computer System Analysts and Computer Programmers who are compensated at a rate not less than \$27.63 (or on a salary or fee basis at a rate not less than \$455 per week) an hour would likely qualify as exempt computer professionals, (29 C.F.R. 541.400) wage rates may not be listed on this wage determination for all occupations within those job families. In addition, because this wage determination may not list a wage rate for some or all occupations within those job families if the survey data indicates that the prevailing wage rate for the occupation equals or exceeds \$27.63 per hour conformances may be necessary for certain nonexempt employees. For example, if an individual employee is nonexempt but nevertheless performs duties within the scope of one of the Computer Systems Analyst or Computer Programmer occupations for which this wage determination does not specify an SCA wage rate, then the wage rate for that employee must be conformed in accordance with the conformance procedures

described in the conformance note included on this wage determination.

Additionally, because job titles vary widely and change quickly in the computer industry, job titles are not determinative of the application of the computer professional exemption. Therefore, the exemption applies only to computer employees who satisfy the compensation requirements and whose primary duty consists of:

(1) The application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software or system functional specifications;

(2) The design, development, documentation, analysis, creation, testing or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications;

(3) The design, documentation, testing, creation or modification of computer programs related to machine operating systems; or

(4) A combination of the aforementioned duties, the performance of which requires the same level of skills. (29 C.F.R. 541.400).

2) AIR TRAFFIC CONTROLLERS AND WEATHER OBSERVERS - NIGHT PAY & SUNDAY PAY: If you work at night as part of a regular tour of duty, you will earn a night differential and receive an additional 10% of basic pay for any hours worked between 6pm and 6am.

If you are a full-time employed (40 hours a week) and Sunday is part of your regularly scheduled workweek, you are paid at your rate of basic pay plus a Sunday premium of 25% of your basic rate for each hour of Sunday work which is not overtime (i.e. occasional work on Sunday outside the normal tour of duty is considered overtime work).

HAZARDOUS PAY DIFFERENTIAL: An 8 percent differential is applicable to employees employed in a position that represents a high degree of hazard when working with or in close proximity to ordnance, explosives, and incendiary materials. This includes work such as screening, blending, dying, mixing, and pressing of sensitive ordnance, explosives, and pyrotechnic compositions such as lead azide, black powder and photoflash powder. All dry-house activities involving propellants or explosives.

Demilitarization, modification, renovation, demolition, and maintenance operations on sensitive ordnance, explosives and incendiary materials. All operations involving regrading and cleaning of artillery ranges.

A 4 percent differential is applicable to employees employed in a position that represents a low degree of hazard when working with, or in close proximity to ordnance, (or employees possibly adjacent to) explosives and incendiary materials which involves potential injury such as laceration of hands, face, or arms of the employee engaged in the operation, irritation of the skin, minor burns and the like; minimal damage to immediate or adjacent work area or equipment being used. All operations involving, unloading, storage, and hauling of ordnance, explosive, and incendiary ordnance material other than small arms ammunition. These differentials are only applicable to work that has been specifically designated by the agency for ordnance, explosives, and incendiary material differential pay.

**** UNIFORM ALLOWANCE ****

If employees are required to wear uniforms in the performance of this contract (either by the terms of the Government contract, by the employer, by the state or local law, etc.), the cost of furnishing such uniforms and maintaining (by laundering or dry cleaning) such uniforms is an expense that may not be borne by an

employee where such cost reduces the hourly rate below that required by the wage determination. The Department of Labor will accept payment in accordance with the following standards as compliance:

The contractor or subcontractor is required to furnish all employees with an adequate number of uniforms without cost or to reimburse employees for the actual cost of the uniforms. In addition, where uniform cleaning and maintenance is made the responsibility of the employee, all contractors and subcontractors subject to this wage determination shall (in the absence of a bona fide collective bargaining agreement providing for a different amount, or the furnishing of contrary affirmative proof as to the actual cost), reimburse all employees for such cleaning and maintenance at a rate of \$3.35 per week (or \$.67 cents per day). However, in those instances where the uniforms furnished are made of "wash and wear" materials, may be routinely washed and dried with other personal garments, and do not require any special treatment such as dry cleaning, daily washing, or commercial laundering in order to meet the cleanliness or appearance standards set by the terms of the Government contract, by the contractor, by law, or by the nature of the work, there is no requirement that employees be reimbursed for uniform maintenance costs.

The duties of employees under job titles listed are those described in the "Service Contract Act Directory of Occupations", Fifth Edition, April 2006, unless otherwise indicated. Copies of the Directory are available on the Internet. A links to the Directory may be found on the WHD home page at <http://www.dol.gov/esa/whd/> or through the Wage Determinations On-Line (WDOL) Web site at <http://wdol.gov/>.

REQUEST FOR AUTHORIZATION OF ADDITIONAL CLASSIFICATION AND WAGE RATE {Standard Form 1444 (SF 1444)}

Conformance Process:

The contracting officer shall require that any class of service employee which is not listed herein and which is to be employed under the contract (i.e., the work to be performed is not performed by any classification listed in the wage determination), be classified by the contractor so as to provide a reasonable relationship (i.e., appropriate level of skill comparison) between such unlisted classifications and the classifications listed in the wage determination. Such conformed classes of employees shall be paid the monetary wages and furnished the fringe benefits as are determined. Such conforming process shall be initiated by the contractor prior to the performance of contract work by such unlisted class(es) of employees. The conformed classification, wage rate, and/or fringe benefits shall be retroactive to the commencement date of the contract. {See Section 4.6 (C)(vi)} When multiple wage determinations are included in a contract, a separate SF 1444 should be prepared for each wage determination to which a class(es) is to be conformed.

The process for preparing a conformance request is as follows:

- 1) When preparing the bid, the contractor identifies the need for a conformed occupation(s) and computes a proposed rate(s).
- 2) After contract award, the contractor prepares a written report listing in order proposed classification title(s), a Federal grade equivalency (FGE) for each proposed classification(s), job description(s), and rationale for proposed wage

rate(s), including information regarding the agreement or disagreement of the authorized representative of the employees involved, or where there is no authorized representative, the employees themselves. This report should be submitted to the contracting officer no later than 30 days after such unlisted class(es) of employees performs any contract work.

3) The contracting officer reviews the proposed action and promptly submits a report of the action, together with the agency's recommendations and pertinent information including the position of the contractor and the employees, to the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, for review. (See section 4.6(b)(2) of Regulations 29 CFR Part 4).

4) Within 30 days of receipt, the Wage and Hour Division approves, modifies, or disapproves the action via transmittal to the agency contracting officer, or notifies the contracting officer that additional time will be required to process the request.

5) The contracting officer transmits the Wage and Hour decision to the contractor.

6) The contractor informs the affected employees.

Information required by the Regulations must be submitted on SF 1444 or bond paper.

When preparing a conformance request, the "Service Contract Act Directory of Occupations" (the Directory) should be used to compare job definitions to insure that duties requested are not performed by a classification already listed in the wage determination. Remember, it is not the job title, but the required tasks that determine whether a class is included in an established wage determination. Conformances may not be used to artificially split, combine, or subdivide classifications listed in the wage determination.